



# COMMONWEALTH of VIRGINIA

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Kenneth G. Feng, **Chairman**  
A. V. Maddra, **Vice Chairman**  
Richard A. Sparks, Jr., **Secretary**  
Kim S. Downing.  
Jorge G. Lozano  
Alexander Vogel, Esq.  
Thomas A. Wilkins

## *Board of Juvenile Justice*

**Department of Juvenile Justice Board Room  
Richmond, Virginia  
Board of Juvenile Justice Meeting  
November 13, 2002**

**Present:** Kim S. Downing  
Kenneth Feng  
Jorge Lozano  
A. V. Maddra  
Richard Sparks  
Tom Wilkins

**Absent:** Alex Vogel

### **I. CALL TO ORDER**

The meeting was called to order at 10:32 a.m. by Chairman Feng.

### **II. APPROVAL OF AGENDA**

On MOTION duly made by Mr. Maddra, seconded by Mr. Sparks, the Board approved the Agenda for the November 13, 2002, meeting with the following changes: Add *DJJ Funding Adjustments for Detention Operations* under Other hold Public Comment on detention issues until that time; and move *VJCCCA Draft Report to Money Committee* to Other Business after *Budget Reduction Impact Update*. Motion carried.

### **III. INTRODUCTIONS**

Mr. Barry Green, Deputy Secretary of Public Safety, and representatives of the Virginia Council on Juvenile Detention (VCJD) - Pat Carrington, Robert Hurt, George Corbin, Tim Smith, Charlie Edwards, Jack Scott, Joe Campbell, Spring Johnson, JoAnne Smith, and Alan Hullette - were introduced and welcomed.

#### **IV. APPROVAL OF MINUTES**

On MOTION duly made by Mr. Maddra, seconded by Mr. Sparks, the Board approved the Minutes for the September 11, 2002, meeting. Motion carried.

#### **V. COMMENTS OF PUBLIC**

No comments were made that did not pertain to detention funding.

#### **VI. COMMITTEE REPORTS**

##### **A. Secure Services Committee**

On MOTION duly made by Mr. Maddra, seconded by Mr. Sparks, to certify the following programs/facilities for three years - Bon Air Juvenile Correctional Center, Highlands Juvenile Detention Center, James River Juvenile Detention Center, Richmond Juvenile Detention Center, and W. W. Moore Detention Home. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Wilkins, to continue Camp Kenbridge on probation for six months with a status report at the April meeting. Motion carried.

On MOTION duly made by Mr. Maddra, seconded by Mr. Wilkins, to grant a temporary variance to 6 VAC 35-140-300 allowing residential programs to restrict the use of showers to no fewer than three times per week. In cases of medical necessity related to health concerns, showers may not be restricted. This variance will remain in effect until the January 2003 Board meeting. After a lengthy discussion of this issue, the motion carried.

##### **B. Non-Secure Services Committee**

On MOTION duly made by Mr. Sparks, seconded by Ms. Downing, to certify the following programs for three years: 17-A Court Service Unit, 17-F Court Service Unit, 20-L Court Service Unit, 23-A Court Service Unit, and Judge Patrick D. Molinari Juvenile Shelter. Motion carried.

On MOTION duly made by Mr. Sparks, seconded by Ms. Downing, to modify the certificate of certification to allow Fairfax Girls' Probation House to serve both post- and pre-dispositional residents. Motion carried.

On MOTION duly made by Mr. Sparks, seconded by Ms. Downing, to certify Stanhope House for a period of one year. Motion carried.

On MOTION duly made by Mr. Sparks, seconded by Ms. Downing, to accept the resolution regarding the Tidewater Group Home construction.

(See Page 122 of the packet. Resolution was not read into the Minutes.)  
Motion carried.

## VII. OTHER BUSINESS

### A. Updating Board By-Laws

Mr. Don Carignan discussed the reason for updating the By-Laws to be in accord with the *Code* references. Mr. Muse suggested the word "public" be inserted in § 2.09 - *"The Board actively encourages and welcomes public participation in all its public deliberations."*

On MOTION duly made by Mr. Wilkins, seconded by Mr. Maddra, to adopt the By-Laws with the proposed changes. Motion carried.

### B. Revision to Board Policy 05-009, Code of Ethics

Mr. Carignan discussed the Code of Ethics, which Director Jones has approved. It is a high level summary of the principles that guide our behavior as professionals in correctional activities. The Department is developing more specific guidance about particular behaviors that impact the operation of a correctional facility. He discussed standards that also guide all employees. A Code of Conduct is being established. Mr. Carignan will give a presentation at the next meeting.

On MOTION duly made by Mr. Wilkins, seconded by Mr. Sparks, to adopt the language in the revision to the Code of Ethics (Policy 05-009). Motion carried.

### C. VJCCCA Draft Report to Money Committee

Ms. Susan Gholston discussed the purpose of the report regarding the formula, guidelines, etc. The Department will ensure that proposed VJCCCA programs and services comply with the Balanced Approach outlined in the report and meet the accountability guidelines developed to receive continued funding. She publicly recognized and thanked those present who worked on the report - John Matish, Nancy Ross, Curtis Nolan, Pat Carrington, and Ken Feng and Rick Sparks from the Board.

### D. Budget Reduction Impact Update

Deputy Secretary Barry Green discussed the status of the State government - mandated expenditures, budget shortfall, revenue forecast, etc. Governor Warner will make further recommendations by December 20 to address the shortfall.

Mr. Steve Pullen reviewed the fact sheets outlining the budget reductions.

E. DJJ Funding Adjustments for Detention Operations

Mr. Tim Howard discussed the moratorium on construction, history behind the significant budget cuts, the formula for the cuts, and rationale. He said the formula would be adjusted, if necessary, every June.

Mr. Maddra said he had read the By-Laws to make sure the Board members could entertain the concerns of the Detention Superintendents. He read those passages he felt were pertinent. He listed the complaints he had received.

The following people spoke to the Board:

Mr. Tim Smith, Superintendent, Shenandoah Valley  
Mr. George Corbin, Superintendent, Fairfax  
Mr. Charlie Edwards, Superintendent, Blue Ridge  
Mr. Robert Hurt, Superintendent, Northwestern Regional  
Ms. Patricia Carrington, Superintendent, James River  
Mr. Brad Hammer, Deputy County Administrator, Chesterfield County  
Mr. Joe Campbell, Superintendent, Chesterfield

On MOTION duly made by Mr. Maddra, seconded by Mr. Wilkins, that Director Jones and staff, with the input from the Superintendents, revisit the funding formula and how it is being applied to the detention facilities around the state.

Mr. Muse said the Board is allowed to pass a motion as a suggestion or request. Under the Code, the Board has authority to comment on activities of the Department; it doesn't mean run the Department. Mr. Maddra read [16.1-309.5](#). [Mr. Muse](#) said that section deals with construction monies; not with the allocation of operational monies, which is under 16.1-322.1. The Board cannot dictate to the Department how to allocate funds, but certainly may request that the Department revisit it.

Mr. Jones said the motion is not necessary as he is scheduled to meet with the Virginia Council of Juvenile Detention on December 4 to give a presentation and discuss the issue. The results of the December 4 meeting will be discussed at the January Board meeting. He thanked the Superintendents for their passion, zeal, and their involvement and commitment to what they are doing.

Motion passed.

F. Board Meeting Dates

Board meetings for 2003 will be the second Wednesday of: January 8, April 9, July 9, and November 12. Mr. Feng said he would like to hold one or two Executive Committee (Chair, Vice-Chair, and Secretary) meetings in 2003.

## **VIII. DIRECTOR'S COMMENTS**

Director Jones said the Department is struggling, facing low morale, and having to develop suggestions for further budget cuts.

Last week a TV crew from Hampton Roads filmed a four-part report focusing on wards who are coming out of a facility, where they are going, what they are doing, etc. He said we help ourselves when we let media in because we have nothing to hide. The report will be aired on November 20 and 21 at 5:30 and 11:00. A tape will be available for the next meeting. He said we are setting up a program to showcase what we are doing.

Since the last meeting, we have established a closer relationship with top management at DCE to have quarterly meetings to enhance communication.

## **IX. COMMENTS OF BOARD**

Mr. Maddra said he appreciated the Director's candor and willingness to meet with the detention people. He hopes we can make a bigger effort to reduce complications in the future.

Mr. Lozano congratulated Mr. Feng on his first meeting. He encouraged thinking about alternative methods to raise funds. He thinks the Department should invite vendors to put money in a facility, provide prizes for kids,,etc.

Mr. Feng said he felt the Superintendents could be a good lobbying tool for DJJ. He thanked DJJ's staff for the preparation and help on this matter.

Mr. Wilkins asked if staff could do an analysis of the American Bar Association's report on Virginia for the next meeting. Mr. Jones said it was a very important report and had gotten a lot of attention. We hope to use it as a catalyst for improvement. Mr. Phipps will provide a report. Mr. Wilkins complimented Mr. Howard on his preparation and professionalism regarding the detention issue.

Mr. Sparks said he appreciated the hard work and difficulty of making decisions.

Mr. Feng announced Committee assignments for the Board.

Non-Secure: Mr. Sparks (Chair), Mr. Vogel, and Ms. Downey.

Secure: Mr. Maddra (Chair), Mr. Lozano, and Mr. Wilkins.

Mr. Feng discussed his priorities as Chair and initiatives he hopes to achieve during the next year - better communication for staff, better training, color codes for certification purposes with a result-oriented programs, and updating/consolidating of Board policies.

Mr. Wilkins said he wanted to address the issue of attendance by Board members at the next meeting.

**X. EXECUTIVE SESSION**

An Executive Session was not called.

**XII. ADJOURN**

On MOTION duly made by Mr. Wilkins, seconded by Mr. Sparks, to adjourn the meeting at 1:55 PM. Motion carried.

Respectfully submitted,

Patricia F. Rollston

